

August 18, 2015

To the Honorable Members of
The Illinois Senate,
99th General Assembly:

Today I return Senate Bill 1885 with specific recommendations for change.

First, this bill attempts to clarify that passing a stopped school bus is unlawful, whether it occurs on a public street or on public school property. Current law already provides that passing a stopped school bus “at any location” is unlawful. Nonetheless, at least one judge in Illinois has misinterpreted the intent of Public Act 93-180, which replaced a statutory reference to “school property” with the reference to “any location.”

Unfortunately, the manner in which this bill attempts to clarify the statute could be itself misinterpreted to classify roadways on public school property as “non-designated highways”, which is not the intent. The changes recommended below would make clear that passing a stopped school bus on public school property is unlawful, without changing the definition of “non-designated highways”.

Second, this bill permits a person to operate a farm tractor for farm operations on a highway without a driver’s license or permit. I support that provision.

However, the bill would also allow a person whose license has been suspended or revoked, such as following a conviction for driving under the influence, to operate a road machine (e.g., a heavy piece of road construction machinery) or a farm tractor on a public highway without a license or permit. That change is unnecessary and could jeopardize public safety. Illinois law already includes appropriate remedies for obtaining a restricted permit following the suspension or revocation of a license.

Therefore, pursuant to Section 9(e) of Article IV of the Illinois Constitution of 1970, I hereby return Senate Bill 1885, entitled “AN ACT concerning transportation”, with the following specific recommendations for change:

On page 1, by replacing line 5 with “Sections 6-102 and 11-1414 as follows:”; and

On page 1, by deleting lines 6 through 23; and

On page 2, by deleting lines 1 through 2; and

On page 4, by deleting lines 11 through 25; and

By deleting pages 5 through 15; and

On page 16, by deleting lines 1 through 23; and

On page 17, by replacing lines 2 through 12 with the following:

“(a) The driver of a vehicle shall stop such vehicle before meeting or overtaking, from either direction, any school bus stopped on a highway, on a roadway, on school property, upon a private road, in a parking lot, or at any other location (including, without limitation, at a location that is not on a highway or roadway) for the purpose of receiving or discharging pupils. Such stop is required before reaching the school bus when there is in operation on the school bus the visual signals as specified in Sections 12-803 and 12-805 of this Code. The driver of the vehicle shall not proceed until the school bus resumes motion or the driver of the vehicle is signaled by the school bus driver to proceed or the visual signals are no longer actuated.”

With these changes, Senate Bill 1885 will have my approval. I respectfully request your concurrence.

Sincerely,

Bruce Rauner
GOVERNOR